

## Message Text

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PAGE 01 GEORGE 01946 141130Z  
ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10  
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11  
HA-05 /073 W  
-----050864 150427Z /73

R 141031Z JUN 78  
FM AMEMBASSY GEORGETOWN  
TO SECSTATE WASHDC 7007  
INFO AMEMBASSY BRIDGETOWN  
AMEMBASSY KINGSTON  
AMEMBASSY PARAMARIBO  
AMEMBASSY PORT OF SPAIN

LIMITED OFFICIAL USE GEORGETOWN 1946

E.O. 11652: N/A  
TAGS: PINT, GY  
SUBJECT: COURT CHALLENGE TO REFERENDUM

1. OPPOSITION GROUPS ARE SEEKING AN INJUNCTION BARRING THE COMMISSIONER OF ELECTIONS FROM HOLDING THE NATIONAL REFERENDUM ON AMENDING THE CONSTITUTION, SCHEDULED FOR JULY 10. THE ACTION WAS FILED BY MAKEPEACE RICHMOND, CHAIRMAN OF THE LIBERATOR PARTY, EUSI KWAYANA, OF THE WORKING PEOPLE'S ALLIANCE, AND FEROZE MOHAMMED, MEMBER OF THE NATIONAL ASSEMBLY REPRESENTING THE PEOPLE'S PROGRESSIVE PARTY.

2. ACCORDING TO THE GUYANA CHRONICLE, THE PLAINTIFFS CONTEND THAT CERTAIN PROCEDURAL REGULATIONS GOVERNING THE HOLDING OF THE REFERENDUM ARE UNCONSTITUTIONAL AND THE CURRENT LIST OF ELECTORS WAS NOT PREPARED IN ACCORDANCE WITH THE LAW AND IS THUS INVALID.

3. THE ACTION WAS ORIGINALLY SCHEDULED TO BE HEARD BY  
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THE CHIEF JUSTICE ON JUNE 12, BUT WAS POSTPONED TO THE NEXT DAY. THE CASE WILL NOW BE HANDLED BY ANOTHER JUSTICE, FROM THE HIGH COURT, AND CAN BE APPEALED TO THE COURT OF APPEAL.

4. COMMENT: THIS LEGAL CHALLENGE IS A CRITICAL TEST FOR THE JUDICIARY, WHICH CONSIDERS ITSELF ABOVE PARTISAN

POLITICS. NO DOUBT THE JUDGES ARE MOST UNCOMFORTABLE AT  
HAVING BEEN DRAWN INTO THE DEBATE OVER THE REFERENDUM BY  
THE NECESSITY OF RULING ON THIS LEGAL CHALLENGE. SYMPTO-  
MATIC OF THEIR DISCOMFITURE IS THE FACT THAT THE CHIEF  
JUSTICE, WHO HAD BEEN EXPECTED TO HEAR THE CASE, HAS  
TOSSED THE "HOT POTATO" TO ONE OF HIS ASSOCIATES.  
BURKE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** COURTS, CONSTITUTIONAL REFERENDUM, CONSTITUTIONAL AMENDMENTS, OPPOSITION PARTIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 14 jun 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978GEORGE01946  
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